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Changes to 49 CFR Part 24 Business Relocations

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Relocation Planning

A personal interview with each business now *required* to help facilitate business relocations – 24.205(c)(2)(i)

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Items to be Discussed

General:

- **Replacement site requirements**
- **Estimated difficulty in locating replacement site**
- **Current lease terms and other contractual obligations**

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Items to be Discussed

Financial:

- **Financial capacity of the business to accomplish the move**
- **Identify advance relocation payments required for the move**
- **Can agency provide them?**

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Items to be Discussed

Moving:

- **Estimated time required to vacate site**
- **Need for outside specialists to help with move planning**
- **Need for assistance in actual move**
- **Reinstallation of machinery and personal property**

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Items to be Discussed

Other:

- **Identify items of personal/realty**
- **Resolve issues prior to appraisal**

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Moving and Related Expenses

Actual cost moves – 24.301(d)

Hourly rates should not exceed those PAID by commercial movers for labor and equipment rental

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Moving and Related Expenses

Personal property moves – 24.301(e)

If there is no requirement to move the business itself, but personal property must be moved, eligible expenses are identified in 24.301(g)(1) through (7) and (18)

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Moving and Related Expenses

Eligible actual moving expenses include:

- **Modifications to personal property to adapt to new site as mandated by law, code or ordinances**
- **Licenses, permits, fees, & certifications**
- **Clarification on computations of actual direct loss payment**

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Moving and Related Expenses

Search expenses increased from $1,000 to $2,500. Eligible expenses include:

- **Time spent obtaining permits and attending zoning hearings**
- **Time spent negotiating purchase/lease of replacement**
- **Agency may request waiver of limitation**

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Moving and Related Expenses

Low value high bulk – 24.301(g)(18) –

If the cost of moving the property is disproportionate to its value *in the judgment of the Agency,* allowable moving cost is the lesser of:

- **Amount that would be received if property was sold at the site, or**
- **Replacement cost of comparable quantity delivered to new site**

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Moving and Related Expenses

Items moved from reestablishment category (no longer capped):

- **Utility connection from ROW**
- **Professional services to determine site suitability prior to purchase/lease of replacement site (soil testing, feasibility, and marketing studies)**
- **Impact fees and one-time assessments**

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In-Lieu Payments

Clarification that minimum payment is $1,000

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Reporting Requirement

FHWA will require annual report be submitted IAW Appendix B

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Potential Statutory Changes for Businesses

- **Increase Reestablishment Expense Statutory Limit**
- **Increase Statutory Limit for In-Lieu Payments**
- **Link to Index?**